



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

A G E N D A

MEETING, NOVEMBER 5, 2021

HYBRID GOVERNING BOARD MEETING

Pursuant to Assembly Bill 361, a meeting of the South Coast Air Quality Management District Board will be held at 9:00 a.m. on Friday, November 5, 2021 through a hybrid format of in-person attendance in the Dr. William A. Burke Auditorium at the South Coast AQMD Headquarters, 21865 Copley Drive, Diamond Bar, California, and/or virtual attendance via videoconferencing and by telephone.

Given health and safety concerns, auditorium seating availability may be limited, and the meeting format may be changed to full remote via webcast. Please refer to South Coast AQMD's website for information regarding the format of the meeting, updates if the meeting is changed to a full remote via webcast format, and details on how to participate:

<http://www.aqmd.gov/home/news-events/meeting-agendas-minutes>

Proof of vaccination or a negative COVID test within 72 hours prior to the start of the Governing Board meeting along with picture I.D. will be required for admittance.

Proof of COVID-19 Vaccination includes:

- COVID-19 Vaccination Record Card (issued by the Department of Health and Human Services Centers for Disease Control & Prevention or WHO Yellow Card1) which includes name of person vaccinated, type of vaccine provided and date doses administered); OR
- A photo of a vaccination card as a separate document; OR
- A photo of the vaccine card stored on a phone or electronic device; OR
- Documentation of vaccination from a healthcare provider; OR
- [Digital record](#) that includes a QR code that when scanned by a SMART Health Card reader displays to the reader: name, date of birth, vaccine dates and vaccine type

REMINDER: Mask wearing is required indoors during the meeting.

**ELECTRONIC PARTICIPATION INFORMATION
(Instructions provided at bottom of the agenda)**

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<https://scaqmd.zoom.us/j/93128605044>

Meeting ID: **931 2860 5044** (applies to all)

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One tap mobile +16699006833,,93128605044# or +12532158782,,93128605044#

**Spanish Language Only Audience (telephone)
Número Telefónico para la Audiencia que Habla Español
Teleconference Dial In/Numero para llamar: +1 669 900 6833
Meeting ID/Identificación de la reunión: 963 4776 6150
One tap mobile: +16699006833,,96347766150#**

Audience will be allowed to provide public comment in person or through Zoom connection or telephone.

PUBLIC COMMENT WILL STILL BE TAKEN

Cleaning the air that we breathe...

Phone controls for participants:

The following commands can be used on your phone's dial pad while in Zoom Webinar meeting:

- *6 - Toggle mute/unmute
- *9 - Raise hand

Questions About an Agenda Item	<ul style="list-style-type: none">▪ The name and telephone number of the appropriate staff person to call for additional information or to resolve concerns is listed for each agenda item.▪ In preparation for the meeting, you are encouraged to obtain whatever clarifying information may be needed to allow the Board to move expeditiously in its deliberations.
Meeting Procedures	<ul style="list-style-type: none">▪ The public meeting of the South Coast AQMD Governing Board begins at 9:00 a.m. The Governing Board generally will consider items in the order listed on the agenda. However, <u>any item</u> may be considered in <u>any order</u>.▪ After taking action on any agenda item not requiring a public hearing, the Board may reconsider or amend the item at any time during the meeting.

All documents (i) constituting non-exempt public records, (ii) relating to an item on the agenda, and (iii) having been distributed to at least a majority of the Governing Board after the agenda is posted, are available prior to the meeting for public review at South Coast AQMD's Clerk of the Boards Office, 21865 Copley Drive, Diamond Bar, CA 91765 or web page at www.aqmd.gov

Americans with Disabilities Act and Language Accessibility

Disability and language-related accommodations can be requested to allow participation in the Governing Board meeting. The agenda will be made available, upon request, in appropriate alternative formats to assist persons with a disability (Gov. Code Section 54954.2(a)). In addition, other documents may be requested in alternative formats and languages. Any disability or language-related accommodation must be requested as soon as practicable. Requests will be accommodated unless providing the accommodation would result in a fundamental alteration or undue burden to the South Coast AQMD. Please contact the Clerk of the Boards Office at (909) 396-2500 from 7:00 a.m. to 5:30 p.m., Tuesday through Friday, or send the request to cob@aqmd.gov

A webcast of the meeting is available for viewing at:

<http://www.aqmd.gov/home/news-events/webcast>

CALL TO ORDER

- Pledge of Allegiance
- Roll Call
- Opening Comments: Ben J. Benoit, Chair
Other Board Members
Wayne Nastri, Executive Officer

PUBLIC COMMENT PERIOD – (Public Comment on Non-Agenda Items, Pursuant to Government Code Section 54954.3) The public may comment on any subject within the South Coast AQMD’s authority that **does not** appear on the agenda, during the Public Comment Period. Each speaker addressing non-agenda items may be limited to a total of (3) minutes.

Staff/Phone (909) 396-

CONSENT AND BOARD CALENDAR (Items 1 through 32)

Note: Consent and Board Calendar items held for discussion will be moved to Item No. 33.

1. Approve Minutes of October 1, 2021 Board Meeting **Thomas/3268**
 2. Set Public Hearing December 3, 2021 to Consider Adoption of and/or Amendments to South Coast AQMD Rules and Regulations: **Nastri/3131**
 - Determine That Proposed Amended Rule 1134 – Emissions of Oxides of Nitrogen from Stationary Gas Turbines, Is Exempt from CEQA; and Amend Rule 1134 **Nakamura/3105**
- Proposed Amended Rule 1134 will remove ammonia limits for selective catalytic reduction systems that will be addressed during permitting, clarify applicable NOx concentration limits for recuperative gas turbines, and incorporate a narrow exemption for use of liquid fuel for turbines used at health facilities during natural gas curtailments. Other amendments are included to update provisions for Continuous Emission Monitoring Systems, remove startup and shutdown permit requirements which will be addressed in Rule 429 – Start-Up and Shutdown Exemption Provisions for Oxides of Nitrogen, and provide other clarifications. This action is to adopt the Resolution: 1) Determining that Proposed Amended Rule 1134 – Emissions of Oxides of Nitrogen from Stationary Gas Turbines, is exempt from the requirements of the California Environmental Quality Act; and 2) Amending Rule 1134 – Emissions of Oxides of Nitrogen from Stationary Gas Turbines. (Reviewed: Stationary Source Committee, October 15, 2021)

Items 3 through 14 -- Budget/Fiscal Impact

3. **Execute Contract to Conduct Inland Port Feasibility Study** **Miyasato/3249**

In February 2019, South Coast AQMD, San Joaquin Valley Air Pollution Control District, Ports of Los Angeles and Long Beach, and other stakeholders co-funded the first phase of the California Inland Port Feasibility Study. This action is to execute a contract with Fresno Council of Governments in an amount not to exceed \$37,500 from the Clean Fuels Program Fund (31) to support the second phase of the California Inland Port Feasibility Study. (Reviewed: Technology Committee, October 15, 2021; Recommended for Approval)

4. **Execute Contract to Install and Maintain Air Filtration Systems at School** **Miyasato/3249**

In December 2019, the Board recognized up to \$45,000 from General Fund to Air Filtration Fund (75) to execute a contract to install and maintain air filtration systems as part of a settlement with the State of California. The consent decree required ten years of filter replacements and identifying a school in an Environmental Justice community within a 10-mile radius of South Coast AQMD headquarters. No school was identified that fit these criteria and available budget. This action is to execute a contract with Los Angeles Unified School District for installation and maintenance of air filtration systems at a school in an amount not to exceed \$45,000 from Air Filtration Fund (75). (Reviewed: Technology Committee, October 15, 2021; Recommended for Approval)

5. **Amend Contract for Emission Testing for Near-Zero Emission Opposed Piston Engine** **Miyasato/3249**

In October 2017, CALSTART, Inc. and Achatas Power, Inc. were awarded \$7 million under CARB's Low Carbon Transportation Greenhouse Gas Reduction Fund Investments (GGRF) to develop and demonstrate opposed piston engine technology. CARB proposes to reallocate previously recognized unused GGRF funds of \$618,070 from the Zero Emission Drayage Truck Project for emissions testing on the opposed piston engine. This action is to amend a contract with CALSTART in an amount up to \$1,118,070 consisting of \$618,070 from the Zero Emission Drayage Truck Project from the Greenhouse Gas Reduction Projects Special Revenue Fund (67) and up to \$500,000 from the Clean Fuels Fund (31) for emissions testing of the opposed piston engine, contingent upon CARB approval. (Reviewed: Technology Committee, October 15, 2021; Recommended for Approval)

6. **Amend Truck Trade Up Dealer Agreements** **Miyasato/3249**

In April 2020, the Board approved implementation of a Truck Trade Up Program authorizing the Executive Officer to execute agreements and/or approve vouchers with truck dealers using \$2,106,405 FY 2019 U.S. EPA Diesel Emissions Reduction Act funds. This action is to amend the dealer agreements to allow for documented repair costs. (Reviewed: Technology Committee, October 15, 2021; Recommended for Approval)

7. **Amend Contract for Renewable Natural Gas Infrastructure Project** **Miyasato/3249**

In March 2021, the Board approved a contract amendment for Kore Infrastructure LLC for a Renewable Natural Gas Commercial Field Test project, including construction of a pyrolysis system on Southern California Gas Company property in Los Angeles. This action is to amend the contract with Kore Infrastructure LLC to extend the term to complete all tasks including testing and reporting by June 30, 2022. (Reviewed: Technology Committee, October 15, 2021; Recommended for Approval)

8. **Allocate Funds to Assist Small Fleets under Voucher Incentive Program and Recognize Revenue, Approve Vouchers and Reimburse General Fund for Enhanced Fleet Modernization Program** **Miyasato/3249**

Due to manufacturing delays, small fleets applying under the Voucher Incentive Program (VIP) are experiencing longer delivery schedules for their new low NOx trucks. Under the current VIP funding source, small fleets are being required to scrap their existing trucks by the end of this calendar year and receive their new low NOx or cleaner truck by June 30, 2022. CARB has allocated \$8.33 million to South Coast AQMD for FY 2021-22 for the continued implementation of the Enhanced Fleet Modernization Program (EFMP) – Replace Your Ride Program. This action is to 1) allocate funds up to \$850,000 from the Clean Fuels Program Fund (31) to assist small fleets in purchasing and delivery of their new low NOx trucks under VIP; 2) recognize revenue, upon receipt, up to \$8.33 million from CARB for the EFMP; 3) approve vouchers and other alternative mobility options until all available funds are exhausted; and 4) reimburse the General Fund up to \$833,333.33 from the HEROS II Special Revenue Fund (56) for EFMP administrative costs. (Reviewed: Technology Committee, October 15, 2021; Recommended for Approval)

9. **Execute Agreement with California High-Speed Rail Authority Setting Forth Framework for Development of Future Contract to Reduce Construction Emissions and Satisfy General Conformity for Burbank to Los Angeles Segment of California High-Speed Rail Project** **Nakamura/3105**

The California High-Speed Rail Authority must demonstrate General Conformity to receive federal funding through the Federal Railroad Administration's High-Speed Intercity Passenger Rail program. In order to demonstrate General Conformity, construction emissions must be below de minimis emissions thresholds. The California High Speed Rail Authority seeks to sign and execute a letter with the South Coast AQMD to agree to negotiate a future contract to reduce construction emissions and to provide funding to the South Coast AQMD for mitigation of the remaining emissions. The agreement would apply to the electrically-powered Burbank to Los Angeles Segment of California High-Speed Rail Project. This action is to approve execution of an agreement with the California High-Speed Rail Authority setting forth a framework for development of a future contract to reduce construction emissions for General Conformity for the Burbank to Los Angeles Segment of the California High-Speed Rail Project. (Reviewed: Administrative Committee, October 8, 2021; Recommended for Approval)

10. **Appropriate Funds for U.S. EPA Science to Achieve Results and NASA Citizen Science Grant Projects, Issue Purchase Orders for Air Monitoring Equipment** **Low/2269**
- In October 2016, the Board recognized revenue from U.S. EPA through its Science to Achieve Results (STAR) research grant project to engage, educate and empower California communities on the use and applications of "low-cost" air monitoring sensors. In October 2018, the Board recognized revenue from NASA for a three-year project to collect and use real-time sensor data to improve PM estimates from satellites. In July 2021, NASA granted a no-cost extension to complete the data analysis and reporting for the project. These actions are to appropriate funds up to \$77,110 for the STAR grant project, and issue purchase orders for air quality sensors and monitoring systems. These actions are also to appropriate funds for the NASA Citizen Science grant award of up to \$46,424. (Reviewed: Administrative Committee, October 8, 2021; Recommended for Approval)
11. **Appropriate Funds Execute and/or Amend Contracts, and Issue Solicitations and Purchase Orders for AB 617 Implementation** **Jain/2804**
- In May and June 2021, the Board recognized up to \$21,880,000 for the most recent allocation of the AB 617 implementation program funding. This action is to appropriate up to \$2,555,420 into the FY 2021-22 and/or FY 2022-23 Budget, execute and/or amend contracts, and issue solicitations and purchase orders for AB 617 implementation. (Reviewed: Administrative Committee, October 8, 2021; Recommended for Approval)
12. **Amend Contracts for Legislative Representation in Sacramento, California** **Alatorre/3122**
- The current contracts for legislative representation in Sacramento with California Advisors, LLC; Joe A. Gonsalves & Son, LLC; and Resolute Company, LLC expires on December 31, 2021. Based on the firms' effective performance during the first year of their current contracts, this action is to approve a one-year extension of the contracts with these three lobbying firms in the amount of \$142,090, \$143,000, and \$180,000, for legislative lobbying services in Sacramento for Calendar Year 2022. Sufficient funding is available in the Legislative, Public Affairs & Media FY 2021-22 Budget. (Reviewed: Administrative Committee, October 8, 2021; Recommended for Approval)
13. **Amend Provisions of South Coast AQMD's Salary Resolution, Teamsters Local 911 MOU, and SC-PEA Terms & Conditions of Employment Relating to Vacation Leave Accrual Limitations** **Olvera/2309**
- Due to operational needs brought about by the COVID-19 pandemic, staff has been required to restrict the use of vacation leave time. As a result, a substantial number of employees will exceed the accrual limits on vacation leave balances at the end of the year and will be prohibited from accruing vacation leave hours next year. This proposal seeks approval of amendments to applicable provisions of South Coast AQMD's Salary Resolution, Teamsters Local 911 MOU, and SC-PEA Terms & Conditions of Employment, in order to temporarily suspend the limitations on vacation leave accrual. (Reviewed: Administrative Committee, October 8, 2021; Recommended for Approval)

14. Approve Contract Awards as Approved by MSRC **McCallon**

As part of their FYs 2016-18 and 2018-21 Work Programs, the MSRC approved multiple awards under their Hydrogen Infrastructure Partnership Program. At this time, the MSRC seeks Board approval of the contract awards as part of the FYs 2016-18 and 2018-21 Work Programs. (Reviewed: Mobile Source Air Pollution Reduction, October 21, 2021; Recommended for Approval)

Items 15 and 16 – Action Items /No Fiscal Impact

15. Establish Board Meeting Schedule for Calendar Year 2022 **Nastri/3131**

The proposed Board Meeting Schedule for Calendar Year 2022 is submitted for Board consideration. The meeting schedule for the Administrative Committee (second Friday of the month), as well as the other standing committees, is included for information only. (Reviewed: Administrative Committee, October 8, 2021; Recommended for Approval)

16. Comply with AB 361 Requirements to Allow South Coast AQMD Board and South Coast AQMD Brown Act Committees to Continue to Meet Remotely **Gilchrist/3459**

This action is to adopt the attached Resolution finding that the Board: 1) has reconsidered the circumstances of the state of emergency; and 2) State or local officials continue to impose or recommend measures to promote social distancing. See Cal. Gov't Code Section 54953(e)(3). (No Committee Review)

Items 17 through 23 – Information Only/Receive and File

17. Legislative, Public Affairs and Media Report **Alatorre/3122**

This report highlights the September 2021 outreach activities of the Legislative, Public Affairs and Media Office, which includes: Major Events, Community Events/Public Meetings, Environmental Justice Update, Speakers Bureau/Visitor Services, Communications Center, Public Information Center, Business Assistance, Media Relations and Outreach to Business and Federal, State and Local Government. (No Committee Review)

18. Hearing Board Report **Verdugo-Peralta/2500**

This reports the actions taken by the Hearing Board during the periods of August 1 through August 31, 2021 and September 1 through September 30, 2021. (No Committee Review)

19. Civil Filings and Civil Penalties **Gilchrist/3459**

This report summarizes monthly penalties and legal actions filed by the General Counsel's Office from September 1 through September 30, 2021. An Index of South Coast AQMD Rules is attached with the penalty report. (Reviewed: Stationary Source Committee, October 15, 2021)

20. Lead Agency Projects and Environmental Documents Received **Nakamura/3105**

This report provides a listing of CEQA documents received by South Coast AQMD between September 1, 2021 and September 30, 2021, and those projects for which South Coast AQMD is acting as lead agency pursuant to CEQA. (Reviewed: Mobile Source Committee, October 15, 2021)

21. Rule and Control Measure Forecast **Rees/2856**

This report highlights South Coast AQMD rulemaking activities and public hearings scheduled for 2021. (No Committee Review)

22. Report of RFQs/RFPs Scheduled for Release in November **Jain/2804**

This report summarizes the RFQs/RFPs for budgeted services over \$100,000 scheduled to be released for advertisement for the month of November. (Reviewed: Administrative Committee, October 8, 2021)

23. Status Report on Major Ongoing and Upcoming Projects for Information Management **Moskowitz/3329**

Information Management is responsible for data systems management services in support of all South Coast AQMD operations. This action is to provide the monthly status report on major automation contracts and planned projects. (Reviewed: Administrative Committee, October 8, 2021)

Item 24 -- Staff Presentation/Board Discussion/Receive and File

24. Budget and Economic Outlook Update (*Presentation in lieu of Board Letter*) **Whynot/3104**

Staff will provide an update on economic indicators and key South Coast AQMD metrics. (Reviewed: Administrative Committee, October 8, 2021)

Items 25 through 32 -- Reports for Committees and CARB

25. Administrative Committee (Receive & File) **Chair: Benoit Nastri/3131**

26. Legislative Committee (Receive & File) **Chair: Cacciotti Alatorre/3122**

27A. Marine Port Committee (Receive & File) **Co-Chairs: Buscaino & Richardson MacMillan/3244**
(September 28, 2021 Summary)

27B. Marine Port Committee (Receive & File) **Co-Chairs: Buscaino & Richardson MacMillan/3244**
(October 15, 2021 Summary)

- | | | | |
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| 28. | Mobile Source Committee (Receive & File) | Chair: Kracov | Rees/2856 |
| 29. | Stationary Source Committee (Receive & File) | Chair: Benoit | Aspell/2491 |
| 30. | Technology Committee (Receive & File) | Chair: Buscaino | Miyasato/3249 |
| 31. | Mobile Source Air Pollution Reduction Review Committee (Receive & File) | Board Liaison: Benoit | Katzenstein/2219 |
| 32. | California Air Resources Board Monthly Report (Receive & File) | Board Rep: Kracov | Thomas/2500 |
| 33. | <u>Items Deferred from Consent and Board Calendars</u> | | |

PUBLIC HEARINGS

- | | | |
|-----|---|---------------|
| 34. | Certify the Final Subsequent Environmental Assessment for Proposed Rule 1109.1 – Emissions of Oxides of Nitrogen From Petroleum Refineries and Related Operations, Proposed Rule 429.1 – Startup and Shutdown Provisions at Petroleum Refineries and Related Operations, Proposed Amended Rule 1304 – Exemptions, Proposed Amended Rule 2005 – New Source Review for RECLAIM, and Proposed Rescinded Rule 1109 – Emissions of Oxides of Nitrogen from Boilers and Process Heaters in Petroleum Refineries; and Adopt Rules 1109.1 and 429.1, Amend Rules 1304 and 2005, and Rescind Rule 1109 | Nakamura/3105 |
|-----|---|---------------|

Proposed Rule 1109.1 (PR 1109.1) establishes NOx and CO emission limits for combustion equipment at petroleum refineries and facilities with operations related to petroleum refineries. PR 1109.1 includes an alternative implementation plan referred to as an I-Plan, and two alternative BARCT plans referred to as a B-Plan and a B-Cap. To provide transparency and minimize delays with approving an I-Plan, B-Plan, or B-Cap, PR 1109.1 includes a process to pre-approve emissions data used for these plans which are included in the “Baseline NOx Emissions and Representative NOx Concentrations for Facilities Regulated Under Rule 1109.1 – Emissions of Oxides of Nitrogen from Petroleum Refineries and Related Operations.” Implementation of PR 1109.1 is expected to achieve reductions of 7.7 to 7.9 tons per day of NOx. Proposed Rule 429.1 (PR 429.1) provides an exemption from the NOx and CO concentration limits in PR 1109.1 during startup, shutdown, commissioning, and certain maintenance events. Proposed Amended Rule 1304 (PAR 1304) and Proposed Amended Rule 2005 (PAR 2005) implement a narrow BACT exemption for PM10 and SOx emission increases associated with installation of new and modified add-on air pollution control equipment installations or modifications that are needed to meet the NOx limits under PR 1109.1. Proposed Rescinded Rule 1109 is obsolete with the adoption of PR 1109.1. This action is to adopt the Resolution: 1) Certifying the Final Subsequent Environmental Assessment for Proposed Rule 1109.1 – Emissions of Oxides of Nitrogen From Petroleum Refineries and Related Operations, Proposed Rule 429.1 – Startup and Shutdown Provisions at Petroleum Refineries and Related Operations,

Proposed Amended Rule 1304 – Exemptions, Proposed Amended Rule 2005 – New Source Review for RECLAIM, and Proposed Rescinded Rule 1109 – Emissions of Oxides of Nitrogen from Boilers and Process Heaters in Petroleum Refineries; 2) Adopting Rules 1109.1 and 429.1, Amending Rules 1304 and 2005, and Rescinding Rule 1109; and 3) Approving the “Baseline NOx Emissions and Representative NOx Concentrations for Facilities Regulated Under Rule 1109.1 – Emissions of Oxides of Nitrogen from Petroleum Refineries and Related Operations,” November 5, 2021. (Reviewed: Stationary Source Committee for PR 1109.1 September 18, 2020, February 29, March 19, June 18 and September 17, 2021; Stationary Source Committee for PR 429.1, PARs 1304 and 2005, and Proposed Rescinded Rule 1109 September 17, 2021)

35. Determine That 2021 Redesignation Request and Maintenance Plan for 2006 and 1997 24-Hour PM2.5 Standards for South Coast Air Basin Is Exempt from CEQA and Approve 2021 Redesignation Request and Maintenance Plan for 2006 and 1997 24-Hour PM2.5 Standards for South Coast Air Basin **Rees/2856**

The South Coast Air Basin (Basin) is currently designated as a serious nonattainment area for the 2006 24-hour average PM2.5 National Ambient Air Quality Standard (NAAQS) and a moderate nonattainment area for the 1997 24-hour average PM2.5 NAAQS. Due to emission reductions, PM2.5 concentrations in the Basin have decreased over the last two decades. The Basin has met the 1997 24-hour PM2.5 NAAQS since 2005. In the three-year period from 2018 to 2020, PM2.5 concentrations in the Basin met the 2006 24-hour average PM2.5 NAAQS subject to U.S. EPA approval of a pending exceptional event demonstration. This 2021 PM2.5 Redesignation Request and Maintenance Plan includes a request to redesignate the Basin as attainment, a maintenance demonstration that the Basin will maintain attainment through 2035, a mechanism to verify continued attainment, a commitment to continue monitoring PM2.5, a contingency plan in case the standard is violated in the future, and provisions for contingency plan implementation. This action is to adopt the Resolution: 1) Determining that the 2021 Redesignation Request and Maintenance Plan for the 2006 and 1997 24-Hour PM2.5 Standards for South Coast Air Basin is exempt from the requirements of the California Environmental Quality Act; and 2) Approving the 2021 Redesignation Request and Maintenance Plan for the 2006 and 1997 24-Hour PM2.5 Standards for South Coast Air Basin, and directing staff to forward to CARB for approval and submission to U.S. EPA for inclusion in the SIP. (Reviewed: Mobile Source Committee, October 15, 2021)

OTHER BUSINESS

36. Appropriate Funds for Field Monitoring Equipment **Mann/3023**

This action is to appropriate \$80,000 from the General Fund Undesignated (Unassigned) Fund Balance to the Office of Compliance & Enforcement's FY 2021-22 Budget to acquire the appropriate monitoring resources to support the ongoing multi-agency investigation of the Dominguez Channel odor event. (No Committee Review)

BOARD MEMBER TRAVEL – (No Written Material)

Board member travel reports have been filed with the Clerk of the Boards, and copies are available upon request.

CLOSED SESSION -- (No Written Material)

Gilchrist/3459

CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

It is necessary for the Board to recess to closed session pursuant to Government Code sections 54956.9(a) and 54956.9(d)(1) to confer with its counsel regarding pending litigation which has been initiated formally and to which the SCAQMD is a party. The actions are:

- Communities for a Better Environment v. SCAQMD, Los Angeles Superior Court Case No. BS161399 (RECLAIM);
- People of the State of California, ex rel. SCAQMD v. Exide Technologies, Inc., Los Angeles Superior Court Case No. BC533528;
- In re: Exide Technologies, Inc., U.S. Bankruptcy Court, District of Delaware, Case No. 13-11482 (KJC) (Bankruptcy Case); Delaware District Court, Case No.: 19-00891 (Appellate Case); United States Court of Appeals, Third Circuit, Case No. 20-1858;
- In re: Exide Holdings Inc., U.S. Bankruptcy Court, District of Delaware, Case No. 20-11157 (CSS) (Bankruptcy Case);
- In the Matter of SCAQMD v. Southern California Gas Company, Aliso Canyon Storage Facility, SCAQMD Hearing Board Case No. 137-76 (Order for Abatement); People of the State of California, ex rel SCAQMD v. Southern California Gas Company, Los Angeles Superior Court Case No. BC608322; Judicial Council Coordinated Proceeding No. 4861;
- In the Matter of SCAQMD v. Torrance Refining Company, LLC, SCAQMD Hearing Board Case No. 6060-5 (Order for Abatement);
- CalPortland Company v. South Coast Air Quality Management District; Governing Board of the South Coast Air Quality Management District; and Wayne Nastri, Executive Officer, and Does 1-100, San Bernardino County Superior Court, Case No. CIV DS 1925894;
- SCAQMD, et al. v. Elaine L. Chao, et al., District Court for the District of Columbia, Case No. 1:19-cv-03436-KBJ;
- SCAQMD, et al. v. EPA, United States Court of Appeals, D.C. Circuit, Case No. 19-1241 (consolidated with Union of Concerned Scientists v. NHTSA, No. 19-1230);
- SCAQMD, et al. v. NHTSA, EPA, et al., United States Court of Appeals, D.C. Circuit, Filed May 28, 2020;
- Natural Resources Defense Council, et al. v. City of Los Angeles, et al., San Diego Superior Court, Case No. 37-2021-00023385-CU-TT-CTL (China Shipping Case) (transferred from Los Angeles Superior Court, Case No. 20STCP02985);
- Terry Lee Williams v. SCAQMD, Los Angeles Superior Court Case No. 19STCV37587; and
- California Trucking Association v. South Coast Air Quality Management; the Governing Board of the South Coast Air Quality Management District; and Does 1 through 25, inclusive, Case No.: 2:21-cv-06341.

CONFERENCE WITH LEGAL COUNSEL – INITIATING LITIGATION

It is also necessary for the Board to recess to closed session pursuant to Government Code section 54956.9(a) and 54956.9(d)(4) to consider initiation of litigation (four cases).

People of the State of California v. City of Fontana, San Bernardino Superior Court, Case No. CIVSB2121829.

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Also, it is necessary for the Board to recess to closed session pursuant to Government Code section 54956.9(d)(2) to confer with its counsel because there is a significant exposure to litigation against the SCAQMD (two cases).

Letter from Steven J. Olson, O'Melveny & Myers LLP, on behalf of ExxonMobil Corporation, dated August 22, 2018.

CONFERENCE WITH LABOR NEGOTIATORS

It is also necessary to recess to closed session pursuant to Government Code section 54957.6 to confer with labor negotiators:

- Agency Designated Representative: A. John Olvera, Deputy Executive Officer – Administrative & Human Resources;
- Employee Organization(s): Teamsters Local 911, and South Coast AQMD Professional Employees Association; and
- Unrepresented Employees: Designated Deputies and Management and Confidential employees.

ADJOURNMENT

*****PUBLIC COMMENTS*****

Members of the public are afforded an opportunity to speak on any agenda item before consideration of that item. Persons wishing to speak may do so in person or remotely via Zoom or telephone. To provide public comments via a Desktop/Laptop or Smartphone, click on the "Raise Hand" at the bottom of the screen, or if participating via Dial-in/Telephone Press *9. This will signal to the host that you would like to provide a public comment and you will be added to the list.

All agendas are posted at South Coast AQMD Headquarters, 21865 Copley Drive, Diamond Bar, California, at least 72 hours in advance of the meeting. At the beginning of the agenda, an opportunity is also provided for the public to speak on any subject within the South Coast AQMD's authority. Speakers may be limited to a total of three (3) minutes for the entirety of the Consent Calendar plus Board Calendar, and three (3) minutes or less for each of the other agenda items.

Note that on items listed on the Consent Calendar and the balance of the agenda any motion, including action, can be taken (consideration is not limited to listed recommended actions). Additional matters can be added and action taken by two-thirds vote, or in the case of an emergency, by a majority vote. Matters raised under the Public Comment Period may not be acted upon at that meeting other than as provided above.

Written comments will be accepted by the Board and made part of the record. Individuals who wish to submit written or electronic comments must submit such comments to the Clerk of the Board, South Coast AQMD, 21865 Copley Drive, Diamond Bar, CA 91765-4178, (909) 396-2500, or to cob@aqmd.gov, on or before 5:00 p.m. on the Tuesday prior to the Board meeting.

ACRONYMS

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| AQ-SPEC = Air Quality Sensor Performance Evaluation Center | NATTS =National Air Toxics Trends Station |
| AQIP = Air Quality Investment Program | NESHAPS = National Emission Standards for Hazardous Air Pollutants |
| AQMP = Air Quality Management Plan | NGV = Natural Gas Vehicle |
| AVR = Average Vehicle Ridership | NOx = Oxides of Nitrogen |
| BACT = Best Available Control Technology | NSPS = New Source Performance Standards |
| BARCT = Best Available Retrofit Control Technology | NSR = New Source Review |
| Cal/EPA = California Environmental Protection Agency | OEHHA = Office of Environmental Health Hazard Assessment |
| CARB = California Air Resources Board | PAMS = Photochemical Assessment Monitoring Stations |
| CEMS = Continuous Emissions Monitoring Systems | PEV = Plug-In Electric Vehicle |
| CEC = California Energy Commission | PHEV = Plug-In Hybrid Electric Vehicle |
| CEQA = California Environmental Quality Act | PM10 = Particulate Matter ≤ 10 microns |
| CE-CERT =College of Engineering-Center for Environmental Research and Technology | PM2.5 = Particulate Matter ≤ 2.5 microns |
| CNG = Compressed Natural Gas | RECLAIM=Regional Clean Air Incentives Market |
| CO = Carbon Monoxide | RFP = Request for Proposals |
| DOE = Department of Energy | RFQ = Request for Quotations |
| EV = Electric Vehicle | RFQQ=Request for Qualifications and Quotations |
| EV/BEV = Electric Vehicle/Battery Electric Vehicle | SCAG = Southern California Association of Governments |
| FY = Fiscal Year | SIP = State Implementation Plan |
| GHG = Greenhouse Gas | SOx = Oxides of Sulfur |
| HRA = Health Risk Assessment | SOON = Surplus Off-Road Opt-In for NOx |
| LEV = Low Emission Vehicle | SULEV = Super Ultra Low Emission Vehicle |
| LNG = Liquefied Natural Gas | TCM = Transportation Control Measure |
| MATES = Multiple Air Toxics Exposure Study | ULEV = Ultra Low Emission Vehicle |
| MOU = Memorandum of Understanding | U.S. EPA = United States Environmental Protection Agency |
| MSERCs = Mobile Source Emission Reduction Credits | VOC = Volatile Organic Compound |
| MSRC = Mobile Source (Air Pollution Reduction) Review Committee | |

ZEV = Zero Emission Vehicle

INSTRUCTIONS FOR ELECTRONIC PARTICIPATION

Instructions for Participating in a Virtual Meeting as an Attendee

As an attendee, you will have the opportunity to virtually raise your hand and provide public comment.

Before joining the call, please silence your other communication devices such as your cell or desk phone. This will prevent any feedback or interruptions during the meeting.

For language interpretation:

Click the interpretation Globe icon at the bottom of the screen

Select the language you want to hear (either English or Spanish)

Click "Mute Original Audio" if you hear both languages at the same time.

Para interpretación de idiomas:

Haga clic en el icono de interpretación el globo terráqueo en la parte inferior de la pantalla

Seleccione el idioma que desea escuchar (inglés o español)

Haga clic en "Silenciar audio original" si escucha ambos idiomas al mismo tiempo.

Please note: During the meeting, all participants will be placed on Mute by the host. You will not be able to mute or unmute your lines manually.

After each agenda item, the Chairman will announce public comment.

Speakers may be limited to a total of 3 minutes for the entirety of the consent calendar plus board calendar, and three minutes or less for each of the other agenda items.

A countdown timer will be displayed on the screen for each public comment.

If interpretation is needed, more time will be allotted.

Once you raise your hand to provide public comment, your name will be added to the speaker list. Your name will be called when it is your turn to comment. The host will then unmute your line.

Directions for Video ZOOM on a DESKTOP/LAPTOP:

- If you would like to make a public comment, please click on the "**Raise Hand**" button on the bottom of the screen. This will signal to the host that you would like to provide a public comment and you will be added to the list.

Directions for Video Zoom on a SMARTPHONE:

- If you would like to make a public comment, please click on the "**Raise Hand**" button on the bottom of your screen.
- This will signal to the host that you would like to provide a public comment and you will be added to the list.

Directions for TELEPHONE line only:

- If you would like to make public comment, please **dial *9** on your keypad to signal that you would like to comment.

Directions for Spanish Language TELEPHONE line only:

- The call in number is the same.
- The meeting ID number is 936-4776-6150

- If you would like to make public comment, please **dial *9** on your keypad to signal that you would like to comment.

Instrucciones para la línea de TELÉFONO en español únicamente:

- El número de llamada es el mismo (+1 669900 6833 o +1 253215 8782).
- El número de identificación de la reunión es 936-4776-6150
- Si desea hacer un comentario público, marque *9 en su teclado para indicar que desea comentar.